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To:

NAME:	FACSIMILE:	TELEPHONE:
MS Amendment United States Patent and Trademark Office	(703) 872-9306	(571) 272-1921

FROM: Charles D. Holland

DATE: January 5, 2005

Number of pages with cover page:	17
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**Comments:**Comments: **RESPONSE TO NON-FINAL OFFICE ACTION**

DOCKET NO.: 299002056700

GROUP ART UNIT: 2826

EXAMINER: A. Sefer

SERIAL NO.: 10/625,234

FILING DATE: July 22, 2003

INVENTOR(S): Kentaro TANI

TITLE: SEMICONDUCTOR LIGHT EMITTING DEVICE AND METHOD FOR PRODUCING THE SAME

**Papers attached:**

1. Transmittal (1 page)
2. Fee Transmittal w/duplicate copy for fee processing (2 pages)
3. Petition for Extension of Time (1 page)
4. Amendment/Response (12 pages)

PA-946706

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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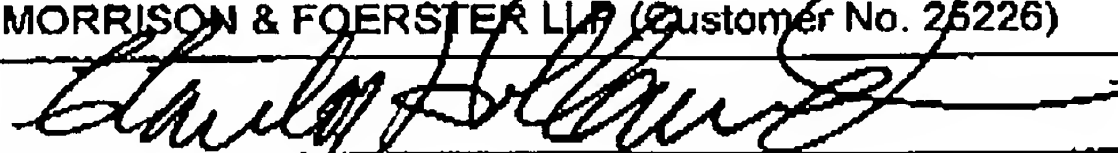
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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	10/625,234
		Filing Date	July 22, 2003
		First Named Inventor	Kentaro TANI
		Art Unit	2826
		Examiner Name	A. Sefer
Total Number of Pages in This Submission	16	Attorney Docket Number	299002056700

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate for fee processing (2 pages) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (12 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax cover sheet
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature			
Printed name	Charles D. Holland		
Date	January 5, 2005	Reg. No.	35,196

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Dated: January 5, 2005

Signature:  (Carolyn G. McKubre)

pa-946678

PTO/SB/17 (12-04)  
Approved for use through 7/31/2006. OMB 0851-0032  
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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL

### For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT		(\$)		120.00	
Application Number		10/625,234			
Filing Date		July 22, 2003			
First Named Inventor		Kantaro TANI			
Examiner Name		A. Sefer			
Art Unit		2826			
Attorney Docket No.		299002056700			

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account      Deposit Account Number: 03-1952      Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below      ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17      ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	0.00
Plant	200	100	300	150	160	80	0.00
Reissue	300	150	500	250	600	300	0.00
Provisional	200	100	0	0	0	0	0.00

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
20	- 20 = 0	x 50.00 =	0.00

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3	- 3 = 0	x 200.00 =	0.00

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)
360.00	0.00

**3. APPLICATION SIZE FEE**

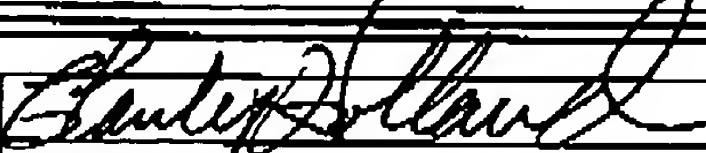
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/50 _____ (round up to a whole number) x	250.00	0.00

**4. OTHER FEE(S)**

Other Fee (\$)	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other: 1251 Extension for response within first month	120.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	35,198	Telephone	(650) 813-5832
Name (Print/Type)	Charles D. Holland	Date	January 5, 2005		

pa-946677

# DUPLICATE COPY FOR FEE PROCESSING

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2>FEE TRANSMITTAL</h2> <h3>For FY 2005</h3>		<p><b>Complete If Known</b></p>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/625,234
		Filing Date	July 22, 2003
		First Named Inventor	Kentaro TANI
		Examiner Name	A. Sefer
		Art Unit	2826
TOTAL AMOUNT OF PAYMENT		(5)	120.00
		Attorney Docket No.	299002056700

### METHOD OF PAYMENT (check all that apply)

☐ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account    Deposit Account Number: 03-1952    Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	0.00
Plant	200	100	300	150	160	80	0.00
Reissue	300	150	500	250	600	300	0.00
Provisional	200	100	0	0	0	0	0.00

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
20	- 20 = 0	x 50.00	= 0.00

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)
360.00	0.00

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3	- 3 = 0	x 200.00	= 0.00

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).


Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x	250.00	0.00

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: 1251 Extension for response within first month

120.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	35,196
Name (Print/Type)	Charles D. Holland	Telephone	(650) 813-5832
		Date	January 5, 2005

1 303  
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Dated: January 5, 2005

Signature: C. G. McKubre  
(Carolyn G. McKubre)

Docket No.: 299002056700

Client Ref. No: F5-03859172/03R00206/US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kentaro TANI

Application No.: 10/625,234

Art Unit: 2826

Filed: July 22, 2003

Examiner: A. Sefer

For: SEMICONDUCTOR LIGHT EMITTING  
DEVICE AND METHOD FOR PRODUCING  
THE SAME

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated September 8, 2004 (Paper No. 20040906), for which a response was due on December 8, 2004. Filed herewith is a Petition and fee for a one month extension of time, thereby extending the deadline for response to January 8, 2005. Accordingly this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

pa-922999